

## IN THE CLAIMS

Please amend the claims as follows:

1. (Currently Amended) A radio communication apparatus in a radio packet communication system for feeding back radio link quality information, which has been measured on a packet receiving side, to a transmitting side and adaptively controlling a modulation scheme and/or encoding rate on the transmitting side using the quality information, comprising:
  - estimating means for estimating a variation-with-time characteristic of the radio link quality using the radio link quality information reported by the packet receiving side;
  - changeover means for adaptively changing over a target error rate using the variation-with-time characteristic;
  - deciding means for deciding a modulation scheme and/or encoding rate, in such a manner that packet error rate becomes equal to the target error rate, using the radio link quality information as well as reception success/failure information reported by the packet receiving side; and
  - means for transmitting a packet based upon the modulation scheme and/or encoding rate decided;
  - wherein said estimating means estimates the variation-with-time characteristic of the radio link quality by calculating correlation of the radio link quality at prescribed time intervals.
2. (Cancelled)
3. (Currently Amended) A radio communication apparatus in a radio packet communication system for feeding back radio link quality information, which has been measured on a packet receiving side, to a transmitting side and adaptively controlling a modulation scheme and/or encoding rate on the transmitting side using the quality information, comprising:
  - estimating means for estimating a variation-with-time characteristic of the radio link quality using a pilot symbol received from the packet receiving side;

changeover means for adaptively changing over a target error rate using the variation-with-time characteristic;

deciding means for deciding a modulation scheme and/or encoding rate, in such a manner that packet error rate becomes equal to the target error rate, using the radio link quality information as well as reception success/failure information reported by the packet receiving side; and

means for transmitting a packet based upon the modulation scheme and/or encoding rate decided;

wherein said estimating means estimates the variation-with-time characteristic of the radio link quality by calculating correlation of a receive pilot symbol at prescribed time intervals.

4. (Cancelled)

5. (Previously presented) The apparatus according to claim 1, wherein said changeover means has a correspondence table indicating correspondence between the variation-with-time characteristic and the target error rate and changes over the target error rate adaptively based upon the variation-with-time characteristic using said table.

6. (Previously presented) The apparatus according to claim 1, wherein said deciding means tabulates data related to modulation scheme and/or encoding rate in correspondence with the radio link quality information, corrects the radio link quality information by increasing or decreasing it based upon reception success/failure by an amount that conforms to the target error rate, and obtains data related to modulation scheme and/or encoding rate conforming to the radio link quality information after the correction thereof.

7. (Previously presented) The apparatus according to claim 1, wherein said changeover means has means for controlling the target error rate based upon a period at which the radio link quality information is reported from the receiving side.

8. (Currently Amended) A radio communication apparatus in a radio packet communication system for feeding back radio link quality information, which has been measured on a packet

receiving side, to a transmitting side and adaptively controlling a modulation scheme and/or encoding rate on the transmitting side using the quality information, comprising:

estimating means for estimating throughput on the packet receiving side;

control means for adaptively controlling a target error rate so as to maximize the throughput;

means for deciding a modulation scheme and/or encoding rate, in such a manner that average error rate of a packet becomes equal to the target error rate, using the radio link quality information as well as reception success/failure information reported by the packet receiving side; and

means for transmitting a packet based upon the modulation scheme and/or encoding rate decided. [[.]]

wherein said estimating means estimates throughput THP in accordance with the following equation:

$$\text{THP} = \langle \text{TBS} \rangle \times (1 - \text{PER})$$

where  $\langle \text{TBS} \rangle$  represents the average value of transport block size and PER represents the target error rate.

9. (Cancelled)

10. (Original) The apparatus according to claim 8, wherein said control means increases the target error rate if present throughput is greater than immediately preceding throughput and decreases the target error rate if the present throughput is equal to or less than the immediately preceding throughput.

11. (Currently Amended) A radio communication apparatus in a radio packet communication system for feeding back radio link quality information, which has been measured on a packet receiving side, to a transmitting side and adaptively controlling a modulation scheme and/or encoding rate on the transmitting side using the quality information, comprising:

estimating means for estimating a variation-with-time characteristic of the radio link quality using a pilot symbol received from the packet transmitting side;

changeover means for adaptively changing over a target error rate using the variation-with-time characteristic;

means for receiving a radio packet, which has undergone error detection and encoding, and performing error detection;

means for measuring a radio link quality value using the pilot symbol received;

means for correcting the radio link quality value using result of the error detection in such a manner that packet error rate becomes equal to the target error rate; and

means for reporting the corrected radio link quality value to a packet transmitting side as said radio link quality information;

wherein said estimating means estimates the variation-with-time characteristic of the radio link quality by calculating correlation of a receive pilot symbol at prescribed time intervals.

12. (Cancelled)

13. (Original) The apparatus according to claim 11, wherein said changeover means has a correspondence table indicating correspondence between the variation-with-time characteristic and the target error rate and changes over the target error rate adaptively using said table.

14. (Original) The apparatus according to claim 11, wherein said changeover means has means for controlling the target error rate based upon measurement period of the measured radio link quality value.

15-18. (Cancelled)